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Modern Asian Studies / Volume 23 / Issue 04 / October 1989, pp 729 - 748
DOI: 10.1017/S0026749X00010180, Published online: 28 November 2008

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How to cite this article:
M. William Steele (1989). From Custom to Right: The Politicization of the Village in Early Meiji Japan. Modern Asian Studies, 23, pp 729-748 doi:10.1017/S0026749X00010180

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Modern Asian Studies **23**, 4 (1989), pp. 729–748. Printed in Great Britain.

From Custom to Right: The Politicization of the Village in Early Meiji Japan

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Introduction

In 1874 Itagaki Taisuke and other critics of the newly established Meiji government submitted a petition demanding a popularly elected national assembly. This is said to be the origin of the Liberty and People's Rights Movement (*jiyū minken undō*). Around the same time a number of local political leaders intensified their campaign for the creation of village assemblies. Although the demand for local autonomy in the early Meiji period was both deep-felt and widespread, only a few scholars, notably Neil Waters, have diverted their attention from Itagaki and other political activists and thinkers at the center.[1] An examination of Meiji local politics is nonetheless essential to understand Japan's modern political development.

Japan, like England, was historically a land of decentralized local government. Villages (*mura*) were clearly defined autonomous units with their own laws, tribunals, and assemblies. Harumi Befu, in a seminal paper on 'Village Autonomy and Articulation with the State,' described the extent to which central governments (the bakufu and the daimyo) could utilize the indigenous system of control, and the extent to which the village could ignore higher authority.[2] Thomas Smith, in

[1] Neil L. Waters, *Japan's Local Pragmatists: The Transition from Bakumatsu to Meiji in the Kawasaki Region* (Harvard University Press, 1983). It was Waters who first suggested looking at bakumatsu–Meiji local political developments in terms of a transition 'from custom to right.' I am grateful for his help in preparing the final draft of this paper. I also wish to thank R. H. P. Mason who looked over an earlier version and offered several valuable suggestions.

[2] Harumi Befu, 'Village Autonomy and Articulation with the State,' *Journal of Asian Studies* 25, 1 (November 1965).

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Agrarian Origins of Modern Japan, detailed how authority relations within the village shifted over time. He pointed to an expansion in participation in village assemblies. Older families of wealth and status were forced to recognize the claims of 'new families' (*hirakata*) to hold village office, exploit village common land, participate in religious ceremonies, and other privileges. Despite this growth in participation, Smith is careful to conclude that no political revolution had taken place: 'All accepted tradition as the ultimate standard of what should be and the only possible sanction for what was. Nowhere . . . did anyone appeal to an abstract principle of justice.'[3] Anne Walthall has shown in a recent study how rural leadership took the initiative in developing new forms of political representation in late Tokugawa Japan.[4] While she linked political vigor at the local level with a surge of interest in national politics following the Meiji Restoration of 1868, the burden of her paper was to show that the intensified demands for political representation developed within the framework of established custom. Political representation and participation as a right was as yet unknown.

The Meiji Restoration resulted in the destruction of existing political norms and structures at all levels of society. It established the beginnings of a centralized modern nation state. Like the acts of emancipation which marked the end of the old order in rural Europe, the Meiji Restoration made everyone equally citizens of the state. Feudal loyalties were not immediately nor universally destroyed, but the new government proclaimed the equality of all people, high and low, under one national law. This had important repercussions; in effect, it demanded an entirely new relationship between the individual and the state. Moreover, the new regime guaranteed new liberties which struck further blows against established custom. People were free to choose their occupation, free to buy and sell their property, and free to leave the village.

One of the most pressing problems confronted by the new regime was how to redefine the relations between center and periphery and establish new boundaries between national and local government. New government leaders vacillated between centralizing and decentralizing approaches to local administration. No uniform policy emerged until the enactment of the City Code and Town and Village Code in 1888, twenty years after the Restoration. Local forces, however, were more

[3] Thomas Smith, *The Agrarian Origins of Modern Japan* (Stanford University Press, 1959), p. 197.

[4] Anne Walthall, 'Village Networks: Sōdai and the Sale of Edo Nightsoil,' *Monumenta Nipponica* 43.3 (Autumn 1988).

consistent in attempting to define their relationship with the center. Throughout the early Meiji period, villages and other local units attempted to protect and enhance the customs associated with local autonomy inherited from the old regime. This sometimes took the form of violent protest and even civil war, but, more generally, it involved the 'politicization' of the village. Traditional village assemblies and local political societies took on new meanings. A new political vocabulary was established: villagers demanded their political rights; they demanded participation and representation, detailing new forms of political participation and representation. New expectations that local issues could and should be addressed at the center emerged. This paper sets out to clarify what is meant by 'politicization': it will examine the transition from political custom to political rights in Tochigi prefecture, concentrating on arguments for the establishment of village assemblies between 1874 and 1884.

Administrative Decentralization

In 1871 the feudal domains (*han*) were abolished and a prefectural (*fuken*) system was established. In the next year the new government abolished all pre-existing village offices and institutions and instituted a centralized district (*daiku shōku*) system. In effect this destroyed the 'natural' village. New officers (*kochō* and *fuku kochō*) were created to govern these amalgamated villages; they were placed under the jurisdiction of district chiefs (*kuchō*). The intention, similar to the establishment in 1871 of local government boards in England, was to standardize local administration and strengthen central control. Further regulations in 1874 made the village head (kochō) and district chief (kuchō) into officials of the state, in an attempt to deprive them of any sense that they represented the people at the local level. Through these reforms the central government assumed the role of overseer of local initiative.[5]

Naturally such changes in local administration met with resistance. Villagers felt deprived of the autonomy they had enjoyed during the Tokugawa period. Demands against the encroachment of the state sparked dozens of uprisings in the early Meiji period. Moreover, government attempts to create a uniform system of land taxation

[5] For translations of Japanese government regulations on local government during the first half of the Meiji period, see W. W. McLaren, 'Japanese Government Documents,' *Transactions of the Asiatic Society of Japan*, First Series no. 42 (1914).

received little co-operation at the local level. The Meiji leaders themselves were divided over the question of administrative centralization. Kido Kōin, in particular, supported the establishment of a constitutional, parliamentary style of government which would be based upon a system of local self government. In 1875 he advocated a policy of administrative decentralization and the establishment of elective assemblies at the prefectural, district, and village level.

In 1875 Kido withdrew from government to demonstrate his dissatisfaction with the centralizing policies of the new Meiji regime. This forced a compromise; as a result of the Osaka Conference, the government announced its intention to pursue a course of administrative decentralization. However, it was only after the 1877 Satsuma Rebellion that the attempt to centralize local administration was terminated; on the one hand, a policy of centralization posed a threat to political stability; on the other hand, victory over Satsuma allowed the government to adopt a more conciliatory position.

The establishment of village and prefectural assemblies was a key element in Ōkubo's proposal for the reorganization of local administration. It was his hope that a return to local autonomy would both lessen hostilities against the central government as well as free it from the administrative and financial burden of managing local affairs. To this end and despite Ōkubo's assassination, the so-called 'Three New Laws' were enacted in July 1878, providing for a new decentralized approach to local government. One major element of the new system was the establishment of popularly-elected village assemblies.

Political leaders outside of the government had also argued in favor of local assemblies, but opposition forces were similarly split over local–national priorities. In the 1874 Memorial for the Establishment of a National Assembly, Itagaki Taisuke, Gotō Shōjirō and others argued that a national assembly should be established first, followed later by prefectural and municipal assemblies.[6] Others felt that local assemblies should come first. For example, Katō Hiroyuki argued that popular political awareness would best be cultivated by the establishment of local assemblies first, followed, in a gradual fashion, by a national assembly.

The *Tōkyō nichinichi shinbun* adopted this line of argument. In a series of editorials in 1876 it noted that 'a constitutional system should be established first by establishing village assemblies, followed by district assemblies, followed by prefectural assemblies, thus gradually working

[6] Unō Fukujū and Watanabe Takaki, 'Meiji kokka to chihō jichi,' in *Taikei Nihon kokka shi* 4 (1975), p. 211.

toward the establishment of a national assembly.'[7] A later editorial argued that the 'spirit of self-government necessary to maintain a constitution could best be cultivated by the establishment of local assemblies.[8] It is interesting to note that so-called 'conservative forces' gave strong support to the political education of the masses. On the one hand, by shifting the center of attention to local assemblies, the central government was temporarily freed of pressure to change national institutions. On the other hand, the arguments for local assemblies were as practical as Itagaki's push for a national assembly. The *Tōkyō nichinichi* praised village assemblies as 'grammar schools of liberty' and at the same time linked village autonomy with national independence, making the arguments acceptable to both opposition and government.

The Assembly of Local Officials

An Imperial Decree announcing the emperor's intention to convene an Assembly of Prefectural Officials was issued in March 1874.[9] But the actual assembly was not held until June 1875, and only then at the strong insistence of Kido Kōin. The meetings were held at the large Higashi Honganji Temple in Asakusa, Tokyo. Kido was appointed chairman and the membership consisted of the governors or their representatives of 59 prefectures and the three municipalities (Tokyo, Osaka, and Kyoto). One hundred and twenty-four men were selected from throughout the country to sit as observers. Five items were slated for discussion: (1) local police, (2) public works and expenditures, (3) popular assemblies, (4) relief measures for the needy, and (5) organization and maintenance of elementary schools. The first meeting was held on June 20 and the entire assembly was scheduled to last for 20 days.

The assembly created extraordinary interest, but its proceedings on the whole disappointed any hopes that it marked the beginning of representative government. Even the pro-government *Tōkyō nichinichi shinbun* discounted any claim that it represented a 'popular assembly.'[10] The observers also felt frustrated. Among them was Kōno Hironaka, a young political activist from Fukushima prefecture. He and others felt that the main issue of the assembly should be the formal recognition of

[7] August 10, 1876. [8] December 28, 1876.

[9] Roger Thompson, 'All in a Day's Work: The Debate on Popular Assemblies at the 1875 Conference of Prefectural Officials' (unpublished seminar paper, Yale University, 1982), provides detailed coverage of the assembly.

[10] *Tōkyō nichinichi shinbun*, July 7, 1876.

local popular assemblies (*minkai*), followed naturally by the establishment of a national assembly.

By July 6, however, debate had progressed to the question of public works, leaving only a few days for any possible consideration of local assemblies. That evening, Kōno met with other observers to draw up a petition requesting immediate debate on the question of establishing popular assemblies at the district and prefectural level. According to Kōno, the establishment of village assemblies would 'mark the beginning of a national constitution and the advancement of people's rights.'[11] The petition seems to have had some effect as debate on the question of popular assemblies was begun on July 8 and the assembly itself extended for an extra seven days.

Kido began the discussion on prefectural and district assemblies by posing the following question: 'It has been decided to establish local popular assemblies and invite popular discussion in decisions regarding local taxes (*minpi*) and other matters of common concern. . . . Should the members of the popular assemblies be selected on the basis of public election (*kōsen*), or should government-appointed district chiefs and village heads (kuchō and kochō) serve as assemblymen?'[12]

The debate, therefore, was not to center on the question of whether or not local popular assemblies should be convened. That issue had been decided. Kido noted that already seven prefectures reported the existence of publicly elected assemblies; 22 prefectures and one municipality reported having assemblies of kuchō and kochō; and 17 prefectures and two municipalities lacked any sort of assembly. (The status of the remaining prefectures was unclear.) The question was rather who should make up the assembly: government-appointed local officials or public citizens elected by their peers?

The debate which followed was lively. Some governors such as Kanda Kōhei (Hyōgo) said they could see merits and demerits in both alternatives and could make no decision. Later, however, he changed his mind and made a statement favoring public election, fearing that local government officials would not properly represent the interests of the people.[13] The governor of Osaka, Watanabe Nobori, expressed his opinion that while the system of public election was fine in theory, under the present circumstances the assemblies should be composed of local officials, since the level of popular enlightenment (*jinmin kaika*)

[11] Nakayama Yoshisuke, *Kōno Banshū den* (1923), vol. 1, pp. 206–7.

[12] *Meiji bunka zenshū: Kensei-hen*, vol. 4, 'Chihōkan kaigi nisshi' (First Edition, 1928), p. 312.

[13] *Ibid.*, pp. 314, 321.

was not yet high enough to merit otherwise. 'Although it may seem that the Japanese people have made great progress by looking at the commotion caused by the debates in newspapers and public lectures, the commoners are not thus affected and remain the Japanese people of olden days.'[14] Chiba governor Shibahara Yawara feared that a system of public election would allow irresponsible radicals to lead the people astray and ferment a spirit of opposition to the directives of the governor. Public election would ironically lead to the establishment of 'private assemblies' (*shiritsu minkai*). Yasuoka Yoshiaki, governor of Shirakawa prefecture, also felt that the people did not understand the meaning of 'people's rights' (*minken*) and only after much education and enlightenment would they come to know their proper rights and responsibilities and thus qualify to choose their own representatives. In the meanwhile it was his and others' opinion that it was best to leave political decision-making powers in the hands of local officials who would more fairly (*kōhei*) represent the people.[15]

Kanagawa governor Nakajima Nobuyuki championed the cause of public election. As Neil Waters notes in his study of Kawasaki, Nakajima had on July 5, three days before the debate began, issued a proclamation establishing town and village assemblies in his prefecture. According to this scheme, all villages comprising more than 300 people were to establish a village assembly at the rate of 15 members per 300 people.[16] During the debate, Nakajima discarded notions that the Japanese people were as yet politically immature. 'Can it possibly be that local officials appointed by the governor will necessarily be men of talent and that representatives elected by the people will necessarily be men lacking talent?'[17] More fundamentally, he declared that the use of local officials would be contrary to the true nature of a local popular assembly. They would represent the interests of the government and not the people. Finally he argued that the people's understanding of their rights and responsibilities would best be advanced by exercising them in local assemblies. The last word in the debate was had by Kagoshima governor Ōyama Tsuneyoshi who felt that there was little need for local popular assemblies at all! When the final vote was taken, 39 voted in favor of appointing the kuchō and kochō as assemblymen, 21 favored public election, and two abstained.

Naturally, there were many who were unhappy with this result. The

[14] *Ibid.*, p. 314.

[15] *Ibid.*, p. 315.

[16] Waters, *Japan's Local Pragmatists*, p. 70. See also *Kanagawa kenshi, shiryōhen 11 (1): kindai-gendai* (1974), pp. 7–8.

[17] *Meiji bunka zenshū*, vol. 4, p. 316.

governors of Kanagawa, Hyōgo, and Ehime prefectures petitioned the government to allow them to continue public elections in their areas, as the practice was already established. Kōno Hironaka, the observer from Fukushima prefecture, was also disgruntled. He urged local political leaders to ignore the results of the Assembly and proceed with the establishment of local popular assemblies and political societies.[18] On August 16, less than one month after the Assembly of Prefectural Officials, Kōno drew up a model 'Assembly Constitution' (*kaigi kenpō*) which was intended for use by autonomous village and district assemblies in the Fukushima area.[19]

Demands for Local Assemblies in Tochigi Prefecture

Tochigi prefecture, like Neil Waters' Kawasaki, is a locality where 'nothing happened.' Despite proximity to Fukushima and Saitama prefectures, Tochigi can boast no major anti-government uprising, and as such has received little scholarly attention. Nonetheless one can observe determined efforts by Tochigi political leaders to circumvent the decision to appoint local officials as assemblymen and to protect local autonomy in other ways as well. Prior to the Assembly of Prefectural Governors, the kochō and fuku kochō of the Seventh Lesser District, Seventh Greater District (Tsuka gun, Imasato mura), representing a league of 19 villages, petitioned Governor Nabeshima to bring up several items at the meeting which they felt were in the interests of the local population. Their major request was a strongly argued plea for the establishment of local assemblies.[20]

Another Tochigi villager, Mita Shōhei, also submitted a series of suggestions to Nabeshima before his departure for Tokyo. He felt that local popular assemblies should be established prior to any meeting of prefectural governors, for how else could the interests of the local areas correctly be understood at the center?[21]

At the Assembly of Local Officials Nabeshima frustrated any hope for his advocacy of a populist political position. During the debate on the question of popular assemblies, he made only one remark which expressed his agreement with Chiba governor Shibahara who felt that

[18] Shōji Kichinosuke, *Meiji seitō seisha no kenkyū* (1959), p. 239.

[19] Ōmachi Masami, 'Chihō minka,' in *Tochigi shiron*, no. 5 (1973), p. 85; see also *Tochigi kenshi: Shiryō-shū, Kingendaishi*, vol. 1 (1976), p. 205.

[20] Omachi, p. 85; *Tochigi kenshi*, p. 189.

[21] *Meiji bunka zenshū*, vol. 4, p. 323.

political activists may seek only 'to establish private assemblies, and put forth private views; they misunderstand the right of liberty, and fall into acts of violence, thereby disrupting the administration of government.'[22]

After the Assembly, politically concerned men in Tochigi continued to press Nabeshima for the establishment of local popular assemblies. Mita Shōhei, who had sent suggestions to Nabeshima prior to the Assembly, wrote again on August 10 to express his disappointment. He objected to the notion that only local officials had the political maturity necessary to participate in popular assemblies, saying that 'it cannot be said that all kuchō and kochō are men of talent and virtue, . . . nor can it be said that talent and virtue is lacking among the people.'[23] He urged reconsideration of the Assembly's decision.

A series of letters sent by a Tochigi farmer, Tamura Kiyoshi of Mannaka village, Tsuka gun, to village superiors during 1875 is one of the most comprehensive arguments on behalf of establishing village assemblies. Next to nothing is known about Tamura himself, but four letters survive showing him a highly intelligent and critical observer of local and national political developments. In a February 1875 petition to his village office (*goyō atsukai dokoro*) he protested the lack of attention central government directives paid to the 'feelings of the people.' The government, he said, was an autocratic regime which treated the poeple likes slaves, horses, or dogs, paying no attention to their natural rights. Tamura used a combination of traditional Confucian and half-digested Western political concepts to argue against despotic rule and for government (both at the local and national levels) which represented the interests of the people.[24]

After the conclusion of the Assembly of Local Officials, Tamura addressed another appeal, this time to the Assistant Chief (fuku kochō) of his district. He discussed the achievements of the recent Assembly, and was particularly pleased that a path had been cleared for the eventual establishment of a popularly elected parliament and constitutional state (*minsen gi'in rikken seitai*). 'It it my hope that patriotic and spirited people will become increasingly enlightened. In this way a democratic constitutional state with a publicly elected parliament (*banmin kyōgi rikken seitai minsen gi'in*) will be established in which the people (and the rulers) will act together in carrying out government. Truly this will represent an unprecedented regeneration of our country; nothing could be more important for the happiness and welfare of the

[22] *Tochigi kenshi*, p. 189. [23] *Ibid.*, pp. 196–9. [24] *Ibid.*, p. 190.

farming class.'[25] The letter concluded with a plea for the immediate establishment of a popular assembly in Tamura's district as the establishment of such local assemblies would be the first step towards the creation of a larger national assembly and the realization of the perfect government of the future.

One month later, on September 21, Tamura wrote a longer petition to the District Office requesting the creation of a local popular assembly. He noted that on the whole local officials were talented and trustworthy men. However, it was possible for the people to be given unfair treatment. The tax laws, moreover, were as yet imperfect and injustice was possible. In such cases a local popular assembly was necessary. It would provide a forum for local officials and the people to discuss issues and arrive at decisions beneficial to all. He saw it as the beginning of a parliamentary system which would eventually prove superior even to those of Europe and America.

The establishment of popular assemblies was extremely important for national development. 'Viewed narrowly, it will protect the individual; viewed broadly, it will maintain the state.'[26] Tamura argued that experience in local assemblies would make the people politically aware. It would foster patriotism, liberty, and independence. It would develop skills in self government and make the people zealous in protecting their rights and performing their responsibilities. In the end, it would invigorate their spirits as people of the empire and enable them to deal on an equal basis with the enlightened people of the world.[27] Tamura thought the present age represented 'the dawn of people's rights' (*minken no yoake*) in Japan. People were no longer passive; they no longer entrusted all matters to the government. In the new age of civilization the people's rights were to be respected. There were still difficulties to be overcome, but the establishment of local popular assemblies would work to enlighten the people and solve these problems. Tamura lamented that as yet there were no popular assemblies in Tochigi prefecture and urged the local officials to consider the immediate and future benefits of establishing such assemblies.

Later, in November 1875, Tamura wrote what seems to be his final appeal for a popular assembly which would 'give the people the right to participate in government.' This letter is particularly interesting as he proposed a hierarchy of popular assemblies and a concrete set of

[25] *Ibid.*, p. 191; see also Ōmachi, 'Chihō minka,' p. 91.
[26] *Tochigi kenshi*, p. 195. [27] *Ibid.*

election procedures. His model assumed that a prefecture was made up of 10 districts (*daiku*), each containing 10 small districts (*shōku*). In each of the 100 small districts a popular assembly should be set up which would handle the day-to-day affairs of the shōku, including its finances. The 100 assemblies at one point would hold elections; the five men in each shōku receiving the highest number of votes would then form 10 daiku assemblies, with 50 members each. These assemblies would hold further elections, each selecting 20 members, and from the 200 delegates, a final election would be held to choose a 50 member prefectural assembly.[28] In this way Tamura felt that men best qualified for public office would be selected, despite the existing political ignorance of the greater part of the population. At the same time the popular assemblies would serve as a foundation for the 'spirit of liberty' to grow and flourish, making for an enlightened people and a proud nation.

In Tamura's last petition he noted that he represented the sentiments of the people of 19 villages within his district (seventh shōku, eighth daiku). But the interest his letters generate does not lie only in the attempt to establish popular assemblies in Tochigi prefecture. Equally important is the image of intelligent and politically active men in rural Japan. Tamura is a good example of the sort of 'politicization' taking place at the local level in early Meiji Japan. He and other villagers, many of them rich farmers and merchants to be sure, well understood words such as local autonomy, people's rights, liberty, independence, and the right of political participation and representation. They were, moreover, willing to rally their fellow men in defense of these rights.

The Establishment of Local Assemblies

In July 1875 the Assembly of Local Officials drafted a 'Law for the Establishment of District Assemblies Composed of District Chiefs.' Their attempt was to regularize the form and function of the popular assemblies which had begun to spring up throughout the country. The draft, however, was never officially ratified. Nevertheless, in the three year period up to the enactment of the Three New Laws in July 1878, many prefectural governors went ahead and allowed local popular assemblies to be set up. Partly out of compliance with popular demands, and partly because of the progressive character of several of

[28] *Ibid.*, p. 200.

the governors, these new local assemblies largely operated on the basis of 'public election.'

The first edition of the *Naimusho nenpō*, published in 1876, noted that as of June 1876, thirteen prefectures had set up prefectural and district assemblies, eight other prefectures had set up prefectural assemblies only, and four others had set up district assemblies only.[29] In 1877 and 1878 other prefectures set up prefectural and district assemblies.[30] Shōji Kichinosuke has studied Fukushima prefecture, where a three-tiered system of village assemblies, district assemblies, and prefectural assemblies was introduced in 1877.[31] The example of Hamamatsu prefecture has also been examined. In this case, the governor seems to have responded to petitions on behalf of 'public election.' A system of local assemblies was established in March 1877, following guidelines outlined by the Assembly of Local Officials. Four months later, in July, the system was reformed once again, this time insisting upon public election of representatives at all levels, village, district, and prefectural.[32]

In Tochigi prefecture, villagers were quick to demand the establishment of similar assemblies. The arguments of Tamura Kiyoshi have already been noted. Besides his appeals, on July 14, 1875 the leaders of the Seventh Small District of the Seventh Large District (a 16 village area in Tsuka gun) submitted a petition for various changes in local administration including the establishment of popular assemblies (minkai) in each small district. A year later, in July of 1876 the heads of all the small districts of the Third Large District (Shioya-Nasu) submitted a request to Governor Nabeshima for the establishment of small district assemblies (*shōku kaigi*).

In their petition, they noted that village assemblies may seem an 'unnecessary luxury' for such a backward area like the Shioya–Nasu region, but that in the long run they would serve as buds for the development of a true parliamentary system in Japan. In arguing their point, they referred to the difficulties encountered in England at the time when the Commons was first established. As supporting documents for their request, villagers drew up a detailed 'Popular Assembly Constitution,' complete with by-laws, and a meticulous list of 'Regula-

[29] *Naimusho nenpō hōkokusho*, vol. 1, (reprint: 1982).

[30] Watanabe Takaki, 'Chihō minkai no seiritsu katei,' *Chihōshi kenkyū* 97 (February 1969), p. 36.

[31] Shōji, *Meiji seitō seisha no kenkyū*, pp. 245–54.

[32] Haraguchi Kiyoshi, *Meiji zenki chihō seiji-shi kenkyū*, vol. 1 (1962), pp. 344–66. See also Watanabe Takaki, *Chisō kaisei to Enshū minkai*, in Nakamura Yūjirō and Kimura Motori (eds), *Sonryaku, hōtoku, jinushisei: Nihon kindai no kitei* (1976), pp. 175–88.

tions for the Small District Assemblies,' with their equally detailed set of by-laws. The 'Constitution' began by noting that 'that citizens within each district will select their representatives to act as assemblymen in the new popular assemblies to be established in 1876 and that, through their deliberations, everyone's rights shall be preserved and everyone's duties shall be performed.'[33] The document detailed a system of local parliamentary practice which was based upon the 'public election' (kōsen) of representatives (*daiginin*). Voting rights were limited to those who resided in the district for more than one year, and who paid at least one yen in local taxes. The by-laws to the 'Constitution' noted that 'public election' might not be immediately practicable and that at the outset representatives might be appointed by the district chiefs. The set of regulations described the various assembly officials and their duties and in its detail reflects the influence of English parliamentary practice. It did, however, make some attempt to adapt the foreign system to Japanese village politics. For example, the items listed for deliberation in the assembly included: district and village expenses; common property; disaster relief; law and order; education and medical care; roads and sewage; development of new lands and encouragement of industry; and questions concerning the district assembly regulations. The by-laws to the regulations described matters of quorum, parliamentary procedure, dates and frequency of elections, dates and length of sitting, and even details concerning the in-house behaviour of the representatives.[34] These regulations for village assemblies and village 'constitutions' can be considered as forerunners of later popular concern with draft constitutions at the national level.

Governor Nabeshima gave his stamp of approval to the petition from the Third Large District, but in fact official legislation was not to appear until January of 1878. Before that, however, a number of village assemblies were established and operated under their own charter. This is borne out by the existence of an interesting document: 'The Proceedings of the First Publicly Elected Popular Assembly of the Tenth Small District of the Second Large District.' The record begins with the election of the Assembly Chairman and other officials on September 10, 1877. All representatives were assigned seat numbers and in the proceedings were referred to by their number. During the two day session various speeches were given, bills were presented and debated, votes taken. Issues relating to local taxes received primary

[33] *Tochigi kenshi*, p. 205. [34] *Ibid.*, pp. 211–13.

attention.[35] The minutes present a detailed glimpse of the early village assembly in operation. One can see here the kernel of the sort of political enthusiasm which characterized Meiji local and national politics in the 1880s and 1890s, and, in addition, invaluable practical training in the organization and running of a representative assembly.

On January 8, 1878, Tochigi prefecture issued an ordinance which for the first time officially recognized the existence and function of local assemblies. In setting up assemblies in each small district, Governor Nabeshima recognized that he was acting in response to numerous public and private demands for such assemblies.[36] The 'Constitution of Small District Assemblies' (*Tochigi-ken shōkukai kenpō*) was loosely modeled on the 'constitutions' drafted by villagers in 1876 and 1877 (see above). It provided for a system of representation based upon 'public election' and aimed to deal with problems of public interest such as: (1) district and village expenses; (2) common property; (3) upkeep of roads and bridges; (4) public schools and hospitals; (5) disaster preparations; (6) construction and industry; (7) land and water transportation; and (8) assembly regulations. Meetings were to be held twice a year, seven days (excluding Sundays) each time. The meetings could be terminated or dissolved by order of the Prefectural Governor. However, if the Governor did dissolve the Small District Assembly, a new assembly was required to be convened within 50 days of its dissolution. The assembly was to be composed of no less than 20 and no more than 50 representatives, elected on a proportional basis. Qualifications for assemblymen included: (1) at least 25 years of age; (2) at least one full year of residence in the district; (3) property ownership in the district; (4) payment of at least 10 yen a year in public taxes. Voters similarly had to (1) be at least 20 years of age; (2) have resided in the district for at least six months; (3) own property in the district; and (4) pay at least 5 yen in public taxes.[37] Women at that time were automatically denied political rights. The size of the electorate for the small district assemblies can perhaps be estimated at around 1.5 per cent of the population. It is interesting to note that these qualifications were similar to those required of candidates in the first national election in 1890.[38]

[35] *Ibid.*, pp. 221–37. [36] *Ibid.*, p. 237. [37] *Ibid.*, p. 239.

[38] The 1890 suffrage qualifications were: (1) more than twenty-five years of age; (2) residence in a prefecture as a permanent resident for at least one year; and (3) to have paid at least ¥15 per annum in direct national taxes. This provides an electorate estimated at around 1.14 per cent of the total population. See R. H. P. Mason, *Japan's First National Election, 1890* (Cambridge University Press, 1969), p. 30.

In many ways the new system of village assemblies set up in Tochigi anticipated changes in central government policy. Beginning on April 4, 1878 a second Assembly of Local Officials was held in Tokyo which resulted in the so-called 'Three New Laws.' These laws, promulgated on July 22, reorganized Japan's local administrative units, set up provisions for prefectural assemblies, and established new regulations for local taxes, thereby establishing a new decentralized system of local government. Although it was not until 1880 that the government issued a 'Fourth' new law which set forth regulations pertaining to village and other local assemblies, the proceedings of the Second Assembly of Local Officials did explicitly recognize their existence and usefulness. On August 26, 1878, for example, a law permitting the public election of village heads was issued.

In Tochigi the 'Three New Laws' were put into practice on November 8, 1878. On that day all the large and small districts were abolished and administrative offices were set up in the 8 major counties (gun) in Tochigi prefecture: Ashikaga, Aso, Shimotsuka, Kamitsuka, Kawachi, Haga, Shioya, and Nasu. Later in November temporary provisions for county assemblies were issued. Unlike the village assemblies which had already begun to spring up, the county assemblies were not intended to be representative. The county chief was appointed by the prefectural governor and was clearly intended to represent the interests of the central government.

Finally, in December, the regulations for the establishment of the Tochigi prefectural assembly were announced. Members were to be elected through public vote; the first election for the new prefectural assembly was held in March and the new body began deliberations on April 14, 1879. It should be noted that many members of the first prefectural assembly received their initial training in electioneering and representative politics in pre-existing village assemblies.

The 'fourth' new law, 'Regulations for Village, Town, and Metropolitan Assemblies,' was issued by the central government in April 1880. Tochigi prefecture had already issued a set of regulations governing village assemblies on January 6, 1880, four months earlier. These were based on the 'Regulations governing Prefectural Assemblies' which the government had issued in 1878, but made applicable to village affairs.[39] They did, nonetheless, provide for an official system of village government based upon a publicly elected representative assembly. While the new regulations tied the village

[39] *Tochigi kenshi*, pp. 298–301.

more closely into the administrative network of the prefecture, they also recognized wide areas of local autonomy. The prefecture's set of regulations was immediately used as a model by villages throughout Tochigi in drafting their own village assembly regulations. It was from this point that the number of village assemblies rose dramatically—in Tochigi (see Table 1) as well as throughout Japan. Fukushima Masao, a leading scholar of local Meiji politics, notes that by 1880 a system of village assemblies had been established in nearly every prefecture and metropolitan district in Japan.[40]

TABLE 1
Establishment of Village Assemblies in Tochigi Prefecture, 1881–1890

Year	No. of Villages	No. with Village Assembly	Percentage
1881	1,258	—	—
1882	1,186	757	64
1883	1,212	851	70
1884	1,194	889	74
1885	1,193	871	73
1886	1,257	928	74
1887	1,184	981	82
1888	1,178	957	81
1889	259*	255	98
1890	281	278	99

* The local government system was subject to reforms in 1888 which significantly reduced the number of villages and required the establishment of publicly-elected village assemblies.
Source: *Fuken shiryō*.

It was also at this time that the People's Rights Movement reached a peak in activity. A League for the Establishment of a National Assembly, under the leadership of Itagaki Taisuke, but also involving the participation of many local political leaders, was active in gathering signatures demanding a representative national assembly. Local political societies sprang up throughout Japan, making the People's Rights Movement into a truly national movement.

In Tochigi local political activists were deeply involved in the People's Rights Movement. In July a local politician from Fukiage village, Shioda Okuzō, himself a village headman and head of a village

[40] Fukushima Masao and Tokuda Ryōichi, 'Meiji shonen no chōson-kai,' in *Chisō kaisei to chihō jichisei, Meijishi kenkyū sosho II* (1956), p. 150.

assembly, began organizing the Gōgōsha (Vociferous Society), the first of some 34 local political societies that were founded in Tochigi between 1880 and 1882.[41] Shioda also organized a petition campaign for a national assembly and succeeded in gathering 8,725 signatures from 293 villages throughout Tochigi.[42] It was in this excited political atmosphere that village assemblies rapidly came into being in Tochigi and throughout Japan.

Reverse Course

When the government issued its Regulations Governing Village Assemblies later in April 1880, Tochigi authorities saw no need to revise existing legislation. Indeed, the government's regulations were decidedly liberal in their appreciation of local conditions and the need to foster local autonomy.[43] In the period following the so-called 'Political Crisis of 1881,' however, the government once again began to assert its control over local government and pursue a policy of administrative centralization. An imperial decree was promulgated which promised a constitution and a national assembly in ten years. This provided time for both the government and opposition forces to prepare for the new parliamentary system. Itagaki Taisuke established Japan's first political party, the Jiyūtō, immediately after the decree, and Ōkuma Shigenobu, who had been ousted from the government as part of the Political Crisis, founded the Kaishintō in early 1882.

The government immediately made efforts to neutralize the influence of these newly founded political parties. A series of laws effectively strangled legitimate political opposition at the national level: the Regulations on Public Assembly (June 1882), Petition Law (December 1882), Press Law (April 1883), and Publishing Law (1883). On the other hand, the government also initiated careful studies of foreign governments and constitutions as well as the history and present condition of Japanese local government. Itō Hirobumi was largely in charge of investigating foreign constitutions and spent nearly a year and a half in Europe. Yamagata Aritomo concentrated his efforts on local government. It was his conviction that reorganization of local

[41] See Ōmachi Masami, 'Minkenki ni okeru ichi seiji kessha no dōkō', *Tochigi shiron* 15 (1974).

[42] *Tochigi kenshi*, pp. 519–20.

[43] Fukushima and Tokuda, 'Meiji shonen no chōson-kai,' p. 152.

government systems was the 'best preparation for a future constitutional system.'[44]

As a result, a series of inspection tours was undertaken in preparation for local government reform throughout 1882 and 1883. Yamagata also ordered studies made of Japan's traditional system of local government. In general, Yamagata reversed the previous policy of administrative decentralization that had been advocated by Kido Kōin and Ōkubo Tochimichi in the mid-1870s. In December of 1882 the Prefectural Assembly Law was revised in order to give the prefectural governor greater control over the assembly. Then, in January 1883, the government issued a decree which abolished the practice of public election of village and city mayors, and reverted to a system of bureaucratic appointment. Yamagata had come to see the local assemblies as seedbeds for anti-government action and feared that the political parties would use them for their own ends.[45]

The decree abolishing the public election of village and city mayors was announced in Tochigi on January 15, 1883. The reasons given were four: (1) The cost of maintaining some 970 village offices was great (nearly one-third of all local taxes) making a reduction in the number of administrative units mandatory; (2) Tochigi prefecture was divided into some 970 self-governing village units making it similar to the feudal Tokugawa system of a multiplicity of small semi-independent fiefs. Public election for the office of village head caused confusion and disorder because of the competition and factional divisions it engendered within the village; (3) There also existed the possibility that gamblers and other unworthy characters could gain control of village government; (4) Finally, political parties, with their insistence upon ideological positions, would only upset village morality and harmony. It was for the happiness of the people and the political health of the village, therefore, that the system of public election was to be abolished.[46]

As can be imagined, there was immediate protest against the decree. Local politicians and members of local political societies criticized the decision as an infringement of their rights. One village even went so far as to declare an eight-point village declaration of independence which began with the statement: 'The people of this village firmly resolve to determine all matters on the basis of village autonomy.'[47] Speech

[44] Roger Hackett, *Yamagata Aritomo* (1970), p. 108.

[45] See R. Staubitz, 'The Establishment of the System of Local Self-Government in Meiji Japan,' Ph.D. dissertation, Yale, 1973 (University Microfilms), p. 62.

[46] *Tochigi kenshi*, pp. 284–5.

[47] *Tochigi shinbun*, Feb. 24, 1883.

meetings were held, petition campaigns initiated, articles written in the local newspapers, and debate ensued in the prefectural assembly. From February 17, the *Tochigi shinbun* ran a five-part editorial on the problem which concluded that the new decree was 'a step backwards' and that it betrayed the expectations of the people.[48] A follow-up editorial entitled 'On Village Assemblies,' which appeared on March 3, expanded this argument further. It declared that the only true representative assemblies (*daigikai*) in Japan were the village assemblies. The prefectural assemblies did not represent popular interests, but were merely an extension of government control. By depriving the villagers of their right to elect their own headman, the new law was certain to have dire consequences. The village assemblies would end up no different from the prefectural assemblies, representative in name only. The effects would not be immediately apparent, but in the end would frustrate any hope for true representative assemblies in Japan.[49]

Arguments in the Prefectural Assembly and petitions drawn up by private citizens demanded that the new law be retracted. Sakamoto Yusaburō was one of many wealthy farmers who submitted a memorial to the governor requesting a return to 'public election.' In his memorial, dated March 15, 1883, he reviewed Japan's progress since the day when Perry's black ships visited Japan's shores. The Japanese empire had thrown off its barbarian customs and fostered the development of civilization and enlightenment. Schools had been set up throughout the country; the people were educated and their talents cultivated. 'The Japanese people of today are no longer the Japanese people of yesteryear.'[50] He went on to praise the government for setting up a system of local government which fostered the spirit of local autonomy (*chihō jichi*) and felt that the system of public election of village mayors had been influential in making the people aware of their political rights and responsibilities. Therefore he could not understand why the government should seek to abolish the system, especially when it had so recently promised to establish a parliamentary system. The government's decision was bound to cause discord between the people and the government rather than a spirit of harmony and cooperation so necessary to make the new system work.[51]

[48] *Tochigi shinbun*, Feb. 20, 22, 1883.
[49] *Tochigi shinbun*, March 3, 1883.
[50] *Tochigi kenshi*, p. 284.
[51] *Ibid.*, p. 285.

Conclusion

Opposition failed to change central government policy. Yamagata's desire to tighten control over local affairs led to a final overhaul of local government in 1888. The new system did provide for village assemblies and public election of village and town heads, but in re-defining village boundaries and in strengthening the supervisory powers of the prefectural governor and the county chief, the new local government system became a mainstay of the political power of the central government. Nevertheless, the movement to protect and cultivate local autonomy was significant. Demands for the establishment of village assemblies contributed to the 'politicization' of localities throughout Japan during the early years of the Meiji period. The Japanese people were in fact no longer the Japanese people of yesteryear. Local assemblies provided the means to develop new political skills, and the forum to develop new political ideas. Voting and campaigns for public office became facts of everyday life. More importantly, people throughout Japan, in rural and urban areas alike, had come to view political participation and representation as a matter of right rather than custom.

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